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May 30, 2023

VIA CM/ECF

Patricia S. Connor, Clerk
United States Court of Appeals for the Fourth Circuit
1100 E. Main St., Suite 501
Richmond, VA 23219

Appalachian Voices, et al. v. U.S. Department of the Interior, et al., No. 23-1384
Notice Regarding Mountain Valley's Construction Plans

Dear Ms. Connor:

Mountain Valley submits this notice to update the Court on its construction plans. As discussed below, Mountain Valley will not initiate any new construction work before June 15, 2023.

Last month, Mountain Valley advised the Court that it would not reinitiate construction before May 31, 2023. ECF No. 18. Remaining work includes stream and wetland crossings, completion of construction tasks in the Jefferson National Forest, and final restoration of the Project right-of-way. Last month, Mountain Valley explained that it cannot commence work in waterbody crossings until it receives an individual permit under Clean Water Act section 404 issued by the U.S. Army Corps of Engineers (Corps), which requires a water quality certification from the West Virginia Department of Environmental Protection, and in the Jefferson National Forest until it receives authorization from the U.S. Forest Service (Service) and the Bureau of Land Management (BLM). Although Mountain Valley has now received the necessary renewed authorizations from the Service and BLM, *see* ECF No. 28, it has not yet obtained a section 404 permit from the Corps.

Mountain Valley does not expect to receive its section 404 permit from the Corps before June 15, 2023, and will not engage in additional work (beyond continuing site maintenance, repair, and stabilization tasks), including work in the Jefferson National Forest, until it receives that permit.



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Please do not hesitate to contact me with questions and thank you for your attention to this matter.

Sincerely,

/s/ George P. Sibley, III

George P. Sibley, III
Counsel for Mountain Valley Pipeline, LLC

cc: All Counsel of Record (via CM/ECF)